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PATENT

JUN 21 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Group Art Unit: 3761

Andre Dekker

Examiner: Not Yet Assigned

Serial No.: 10/081,165

INFORMATION DISCLOSURE  
STATEMENT

Filed: February 22, 2002

Atty. File No.: 41942-04510

Confirmation No.: 8432

For: MONITORING PHYSIOLOGICAL  
PARAMETERS BASED ON  
VARIATIONS IN A  
PHOTOPLETHYSMOGRAPHIC  
BASELINE SIGNALI HEREBY CERTIFY THAT this correspondence is being deposited  
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envelope addressed to Commissioner for Patents, Washington, DC  
20231 on: May 24, 2002.

Marsh Fischmann &amp; Breyfogle LLP

By: 

Michelle L. Wyss

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby provides a copy of each of the documents identified on the enclosed PTO Form 1449, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified application.

Respectfully submitted,

MARSH FISCHMANN &amp; BREYFOGLE LLP

By: 

Thomas R. Marsh

Atty. Reg. No.: 31,039

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

Telephone: (303) 338-0997

Facsimile: (303) 338-1514

Date: May 24, 2002

INFORMATION DISCLOSURE  
(Use several sheets if necessary)

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41942-04510

10/081,165

Applicant(s)  
Dekker

Filing Date

February 22, 2002

Group Art Unit

3761

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	3,704,706	12/05/72	Herczfeld et al.	128	2	
	2.	4,306,567	12/22/81	Krasner	128	671	
	3.	4,379,460	04/12/83	Judell	128	671	
	4.	4,404,974	09/20/83	Titus	128	670	
	5.	4,765,340	08/23/88	Sakai et al.	128	633	
	6.	4,781,201	11/01/88	Wright et al.	128	671	
	7.	4,863,265	09/05/89	Flower et al.	356	41	
	8.	4,869,254	09/26/89	Stone et al.	128	633	
	9.	4,884,578	12/05/89	Morgenstern	128	670	
	10.	4,958,638	09/25/90	Sharpe et al.	128	653	
	11.	5,078,136	01/07/92	Stone et al.	128	633	

## FOREIGN PATENT DOCUMENTS

RRP	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE - CITATION  
(Use several sheets if necessary)

41942-04510		10/081,165
Applicant(s) Dekker		
Filing Date February 22, 2002	Group Art Unit 3761	

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	12.	5,111,817	05/12/92	Clark et al.	128	633	
	13.	5,170,794	12/15/92	Reiche	128	671	
	14.	5,368,224	11/29/94	Richardson et al.	128	633	
	15.	5,385,144	01/31/95	Yamanishi et al.	128	633	
	16.	5,396,893	03/14/95	Oberg et al.	128	671	
	17.	5,423,322	06/13/95	Clark et al.	128	672	
	18.	5,431,159	07/11/95	Baker et al.	128	633	
	19.	5,482,036	01/09/96	Diab et al.	128	633	
	20.	5,490,505	02/13/96	Diab et al.	128	633	
	21.	5,553,615	09/10/96	Carim et al.	128	633	
	22.	5,555,882	09/17/96	Richardson et al.	128	633	

## FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


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Applicant(s)  
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Filing Date

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Group Art Unit

3761

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	23.	5,575,284	11/19/96	Athan et al.	128	633	
	24.	5,623,933	04/29/97	Amano et al.	128	687	
	25.	5,755,229	05/26/98	Amano et al.	128	687	
	26.	5,766,127	06/16/98	Pologe et al.	600	310	
	27.	5,776,071	07/07/98	Inukai et al.	600	493	
	28.	5,830,137	11/03/98	Scharf	600	323	
	29.	5,853,364	12/29/98	Baker, Jr. et al.	600	300	
	30.	5,862,805	01/26/99	Nitzan	128	898	
	31.	5,865,167	02/02/99	Godik	128	133	
	32.	5,865,756	02/02/99	Peel, III	600	490	
	33.	5,885,213	03/23/99	Richardson et al.	600	336	

## FOREIGN PATENT DOCUMENTS

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P09A/REV04

Patent and Trademark Office \* U.S. DEPARTMENT OF COMMERCE

Form PTO-A820  
(also form PTO-1449)

SHEET OF 1

PAGE 7/9 \* RCVD AT 6/21/2004 2:04:17 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/1 \* DNIS:8729306 \* CSID:720 406 0520 \* DURATION (mm-ss):02-32

41942-04510

10/081,165

**INFORMATION DISCLOSURE CITATION**  
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Dekker

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	34.	5,902,235	05/11/99	Lewis et al.	600	323	
	35.	5,919,134	07/06/99	Diab	600	323	
	36.	5,931,779	08/03/99	Arakaki et al.	600	310	
	37.	5,934,277	08/10/99	Mortz	128	633	
	38.	5,954,644	09/21/99	Detting et al.	600	322	
	39.	5,971,930	10/26/99	Elghazzawi	600	483	
	40.	5,997,482	12/07/99	Vaschillo et al.	600	484	
	41.	6,011,985	01/04/00	Athan et al.	600	322	
	42.	6,028,311	02/22/00	Sodickson et al.	250	343	
	43.	6,067,462	05/23/00	Diab et al.	600	310	

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Attorney: TRM/mlw

Date: May 24, 2002

PTO Stamp indicates receipt of: ☒ Patent Matter ☐ Trademark Matter

Application Docket No.: 4194-04510

Applicant: Andre Dekker

Title or Mark: MONITORING PHYSIOLOGICAL PARAMETERS BASED ON  
VARIATIONS IN A PHOTOPLETHYSMOGRAPHIC BASELINE  
SIGNAL

Serial/Reg. No.: 10/081,163

Filed/Issued Date: February 22, 2002

☒ Certificate of Mailing☐ Express Mail No.:☐ Check for \$ /Check No.:☐ No. of Pages in Specification☐ No. of Pages in Claims☐ No. of Pages in Abstract☐ No. of Sheets of DrawingsLIST ALL DOCUMENTS BEING SENT TO PATENT OFFICE:

1. IDS (1 pg);
2. PTO 1449 (4pgs; and
3. 43 Cited References

